IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION 1:05cv224-T

FIMOTHY ALAN HOGLEN and wife, LINDA MARIE HOGLEN,)
Plaintiffs)))
v) ORDER
H & S HOMES, L.L.C., individually and d/b/a DYNASTY HOMES; and	
COUNTRYWIDE HOME LOANS, INC.,)
Defendants.)

THIS MATTER was scheduled to be heard before the undersigned upon this court's own motion directing that the parties show cause why this action should not be dismissed for failure to prosecute. The hearing in regard to the court's motion was scheduled for April 10, 2007. It now appears to the court that the matter has been resolved between the parties and that a Stipulation of Dismissal, with prejudice, has been filed. As a result, the undersigned has determined that sanctions should not be applied and that the Order to Show Cause and scheduled hearing should be dismissed.

ORDER

IT IS HEREBY **ORDERED** that the Amended Show Cause Order (#25) is hereby withdrawn and is hereby **DISMISSED**.

Signed: April 9, 2007

Dennis L. Howell United States Magistrate Judge